

IN THE CLAIMS:

1. (Original) A spinal implant adapted for non-linear insertion in an intradiscal space, comprising:
 - a leading end wall;
 - a trailing end wall having an insertion tool engaging portion;
 - a posterior wall extending between said leading end wall and said trailing end wall; and
 - an anterior wall extending between said leading end wall and said trailing end wall, wherein said posterior wall has a height that is less than the height of said anterior end wall.
2. (Original) The implant of claim 1, wherein said trailing end wall and said leading end wall each have a height that is less than the height of both said anterior wall and said posterior wall.
3. (Original) The implant of claim 1, wherein said posterior wall is concave and said anterior wall is convex.
4. (Original) The implant of claim 1, wherein said leading end wall and said trailing end wall have the same height.
5. (Original) The implant of claim 1, further comprising:
 - an upper bearing member extending between and connected to said leading end wall, said anterior wall, said posterior wall and said trailing end wall; and
 - an opposite lower bearing member extending between and connected to said leading end wall, said anterior wall, said posterior wall and said trailing end wall.
6. (Original) The implant of claim 1, wherein said leading end wall includes an insertion tool engaging portion.
7. (Original) The implant of claim 1, wherein said insertion tool engaging portion is an internally threaded holed formed through said trailing end wall.

8. (Original) A spinal implant, comprising:

a leading end wall;

a trailing end wall;

a posterior wall extending between said leading end wall and said trailing end wall;

an anterior wall extending between said leading end wall and said trailing end wall;

an upper bearing member extending between and connected to said leading end wall, said anterior wall, said posterior wall and said trailing end wall; and

an opposite lower bearing member extending between and connected to said leading end wall, said anterior wall, said posterior wall and said trailing end wall, wherein said upper bearing member and said lower bearing member each include a cantilevered portion extending beyond said anterior wall.

9. (Original) The implant of claim 8, wherein anterior wall includes a first anterior lateral opening adjacent said leading end wall and a second anterior lateral opening adjacent said trailing end wall.

10. (Original) The implant of claim 9, wherein:

said first anterior lateral opening is defined between a first vertical strut, said leading end wall and said upper and lower bearing members;

said second anterior lateral opening is defined between a second vertical strut, said trailing end wall and said upper and lower bearing members; and

said anterior wall further including a middle opening defined between said first strut, said second strut, and said upper and lower bearing members.

11. (Original) The implant of claim 10, further comprising an offset strut adjacent said middle opening and offset towards said posterior wall, said offset strut extending between said upper bearing member and said lower bearing member.

12. (Original) The implant of claim 8, wherein said anterior wall has a height that is greater than a height of said posterior wall, and said trailing end wall is adapted for coupling to an insertion tool.

13. (Original) The implant of claim 8, wherein:

said upper bearing member includes an upper strut and a pair of openings on either side of said upper strut; and

said lower bearing member includes a lower strut and a pair of openings on either side of said lower strut.

14. (Original) The implant of claim 8, wherein:

said upper bearing member includes a number of grooves formed in an upper bearing surface thereof; and

said lower bearing member includes a number of grooves formed in a lower bearing surface thereof.

15. (Original) A spinal implant adapted for non-linear insertion in an intradiscal space, comprising:

a leading end wall;

a trailing end wall including an engaging tool engaging portion;

a posterior wall extending between said leading end wall and said trailing end wall;

an anterior wall extending between said leading end wall and said trailing end wall;

an upper bearing member extending between said leading end wall, said anterior wall, said posterior wall and said trailing end wall; and

an opposite lower bearing member extending between said leading end wall, said anterior wall, said posterior wall and said trailing end wall, wherein the implant has a center axis extending generally in the direction between said leading end wall and said trailing end wall, said posterior wall and said anterior wall being positioned on opposite sides of said center axis, whereby said leading end wall and said trailing end wall are each offset from said center axis in the direction of said posterior wall.

PRELIMINARY AMENDMENT

Application Ser. No.: New Application

Atty Docket No. 4002-3455/PC401.15

Page 4 of 9

16. (Original) The implant of claim 15, wherein said upper bearing member and said lower bearing member each include a cantilevered portion along said anterior wall.

17. (Original) The implant of claim 15, wherein said trailing end wall and said leading end wall each have a height that is less than the height of both said anterior wall and said posterior wall.

18. (Original) The implant of claim 15, wherein said posterior wall is concave and said anterior wall is convex.

19. (Original) The implant of claim 15, wherein said leading end wall and said trailing end wall have the same height.

Claims 20-49 (canceled.)

50. (New) The implant of claim 5, wherein said upper bearing member and said lower bearing member each include a cantilevered portion extending beyond said anterior wall.

51. (New) The implant of claim 50, wherein anterior wall includes a first anterior lateral opening adjacent said leading end wall and a second anterior lateral opening adjacent said trailing end wall.

52. (New) The implant of claim 51, wherein:

 said first anterior lateral opening is defined between a first vertical strut, said leading end wall and said upper and lower bearing members;

 said second anterior lateral opening is defined between a second vertical strut, said trailing end wall and said upper and lower bearing members; and

 said anterior wall further including a middle opening defined between said first strut, said second strut, and said upper and lower bearing members.

53. (New) The implant of claim 52, further comprising an offset strut adjacent said middle opening and offset towards said posterior wall, said offset strut extending between said upper bearing member and said lower bearing member.

54. (New) A spinal implant, comprising:
a leading end wall;
a trailing end wall;
a posterior wall extending between said leading end wall and said trailing end wall;
an anterior wall extending between said leading end wall and said trailing end wall;
an upper bearing member extending between and connected to said leading end wall, said anterior wall, said posterior wall and said trailing end wall; and
an opposite lower bearing member extending between and connected to said leading end wall, said anterior wall, said posterior wall and said trailing end wall, wherein said anterior wall includes at least one strut positioned between openings on each side thereof, and said upper bearing member and said lower bearing member each include a cantilevered portion extending beyond said strut and said openings.

55. (New) The implant of claim 54, wherein said openings in said anterior wall include a first anterior lateral opening adjacent said leading end wall and a second anterior lateral opening adjacent said trailing end wall.

56. (New) The implant of claim 55, wherein:
said at least one strut includes a first vertical strut and a second vertical strut;
said first anterior lateral opening is defined between said first vertical strut, said leading end wall and said upper and lower bearing members;
said second anterior lateral opening is defined between said second vertical strut, said trailing end wall and said upper and lower bearing members; and
said anterior wall further including a middle opening defined between said first strut, said second strut, and said upper and lower bearing members.

57. (New) The implant of claim 56, further comprising an offset strut adjacent said middle opening and offset towards said posterior wall, said offset strut extending between said upper bearing member and said lower bearing member.

58. (New) The implant of claim 54, wherein said anterior wall has a height that is greater than a height of said posterior wall, and said trailing end wall is adapted for coupling to an insertion tool.

59. (New) The implant of claim 54, wherein:

 said upper bearing member includes an upper strut and a pair of openings on either side of said upper strut; and

 said lower bearing member includes a lower strut and a pair of openings on either side of said lower strut.

60. (New) The implant of claim 54, wherein:

 said upper bearing member includes a number of grooves formed in an upper bearing surface thereof; and

 said lower bearing member includes a number of grooves formed in a lower bearing surface thereof.

61. (New) A spinal implant adapted for non-linear insertion in an intradiscal space, comprising:

 a leading end wall;

 a trailing end wall;

 a posterior wall extending between said leading end wall and said trailing end wall;

 an anterior wall extending between said leading end wall and said trailing end wall;

 an upper bearing member extending between said leading end wall, said anterior wall, said posterior wall and said trailing end wall; and

 an opposite lower bearing member extending between said leading end wall, said anterior wall, said posterior wall and said trailing end wall, wherein the implant has a center axis extending generally in the direction between said leading end wall and said trailing end wall, said posterior

PRELIMINARY AMENDMENT

Application Ser. No.: New Application
Atty Docket No. 4002-3455/PC401.15
Page 7 of 9

wall and said anterior wall being positioned on opposite sides of said center axis, wherein said trailing end wall and said leading end wall each have a height that is less than the height of both said anterior wall and said posterior wall, and said anterior wall has a height greater than a height of said posterior wall.

62. (New) The implant of claim 61, wherein said upper bearing member and said lower bearing member each include a cantilevered portion along said anterior wall.

63. (New) The implant of claim 61, whereby said leading end wall and said trailing end wall are each offset from said center axis in the direction of said posterior wall.

64. (New) The implant of claim 61, wherein said posterior wall is concave and said anterior wall is convex.

65. (New) The implant of claim 61, wherein said leading end wall and said trailing end wall have the same height.